

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEVIN SCOTT,

Plaintiff,

No. 19-12655

v.

Hon. Nancy G. Edmunds

INTER-CON SECURITY SYSTEMS, INC.,
SCOTT MILLER, and
JULIE WASILEWSKI,

Defendants.

ORDER DISMISSING PLAINTIFF'S STATE LAW CLAIMS

Plaintiff Kevin Scott filed suit against Defendants in this Court on September 10, 2019. Plaintiff's complaint brings race discrimination claims pursuant to both Title VII of the Civil Rights Act of 1964 and Michigan's Elliott-Larsen Civil Rights Act as well as a common law claim of negligent hiring/supervision. On October 7, 2019, the Court issued an order giving Plaintiff ten days to properly plead the citizenship of Defendants if he chooses to rely on diversity jurisdiction as the Court's basis to hear his state law claims. (Dkt. 4.)

Plaintiff did not respond to the Court's order. Accordingly, the parties in this matter appear to be nondiverse, and this Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c)(4); *Moor v. Cty. of Alameda*, 411 U.S. 693, 716 (1973); *Padilla v. City of Saginaw*, 867 F. Supp. 1309, 1315 (E.D. Mich. 1994). Therefore, pursuant to 28 U.S.C. § 1367(c), Plaintiff's state law claims, including his claims of discrimination

in violation of Michigan's Elliott-Larsen Civil Rights Act (Count II) and negligent hiring/supervision (Count III), are hereby DISMISSED WITHOUT PREJUDICE. The Court will retain jurisdiction over Plaintiff's federal claims only.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: October 23, 2019

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 23, 2019, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager